

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EDWARD KOEHL,

Plaintiff,

vs

9:05-CV-582

GARY GREENE, Superintendent; JAY KELLMAN,
Facility Rabbi; BRUCE PARKER, Correction Officer;
C. LACROIX, Correction Sergeant; R. W. POTTER,
Deputy Superintendent; GREG LYONS, Cook; and
JAMES PAGANO,

Defendants.

APPEARANCES:

EDWARD KOEHL
Plaintiff, Pro Se
94-A-2890
Clinton Correctional Facility
P.O. Box 2001
Dannemora, NY 12929

HON. ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
The Capitol
Albany, New York 12224

DAVID N. HURD
United States District Judge

OF COUNSEL:

CHARLES J. QUACKENBUSH, ESQ.
JAMES B. McGOWAN, ESQ.
Asst. Attorneys General

ORDER

Plaintiff, Edward Koehl, brought this civil rights action pursuant to 42 U.S.C. § 1983.

In a Report Recommendation dated September 18, 2008, the Honorable David E. Peebles,
United States Magistrate Judge, recommended that defendants' motion for summary

judgment (Docket No. 99) be granted, and that plaintiff's complaint be dismissed in its entirety. The plaintiff has filed timely objections to the Report Recommendation.

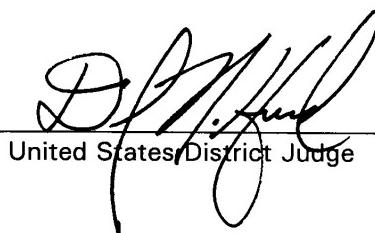
Based upon a de novo review of the portions of the Report-Recommendation to which the plaintiff has objected, the Report-Recommendation is accepted and adopted. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. Plaintiff's complaint is DISMISSED in its entirety; and
3. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: October 31, 2008
Utica, New York.